

## Frequently Asked Questions

These questions and answers are for general information.  
For specific detail or clarification, read KRS 329A and 201 KAR 41 or seek legal advice.

Q. Are private investigators that work in Kentucky required to be licensed?

A. Kentucky law, KRS 329A.015 states: "No person or company shall hold himself or herself out to the public as a private investigator or use any terms, titles, or abbreviations that express, infer, or imply that the person is licensed as a private investigator unless the person at the time holds a license to practice private investigating issued and validly existing under the laws of this Commonwealth as provided in this chapter."

Q. What is the penalty for working illegally as an unlicensed private investigator?

A. As specified in KRS 329A.080, any person violating KRS 329A.015 shall be guilty of a Class A misdemeanor for the first offense and a Class D felony for a second or subsequent offense.

Q. Can cities, counties or other government entities regulate private investigators in Kentucky?

A. No. KRS 329A.085 states: "No cities, counties, urban-county governments, charter counties, consolidated local governments, or other political subdivisions of the Commonwealth may adopt or continue in effect any ordinance, resolution, regulation, or rule regarding the regulation of private investigators."

Q. Are private investigators required to have contracts with their clients?

A. Although not required by law, private investigators are encouraged to have contracts or signed agreements with their clients that specify the nature of the work requested or to be performed, fees and other details related to the services of the investigator.

Q. Can the investigator tell others about the work being done for the client?

A. KRS 329A.055 states: "No licensee shall: Divulge to anyone, other than his or her client, or to such persons as his or her client may direct, or as may be required by law, any information acquired during such employment that may compromise the client, the person who is the subject of the investigation, or the investigation to which the licensee has been assigned;"

Q. Do private investigators carry badges?

A. No. KRS 329A.055 says that no licensee shall use a badge for identification or make any statement which would reasonably cause another person to believe that the licensee functions as a sworn peace officer or other official of the state, any of its political subdivisions, or an agency of the federal government.

Q. Are retired or actively employed law enforcement officers (sworn peace officers) exempt from licensing to work as a private investigator?

A. No. There are no exemptions for retired or actively employed law enforcement officers (sworn peace officers).

Q. Can a law enforcement officer apply for a private investigators license?

A. Yes. There is nothing in the law that prohibits an active sworn peace officer from getting a private investigators license, but there may be restrictions established by the agency that employs them.

Q. Does the Kentucky Board of Licensure for Private Investigators regulate or license security guards or companies?

A. No, but if a person employed by security or guard companies works as a private investigator, they should be licensed as required by KRS 329A.

Q. Can anyone investigate arson?

A. As required by KRS 329A.095, any private investigator who conducts fire or arson investigations in Kentucky must be licensed in accordance with KRS 329A.025 and be currently certified by the National

Association of Fire Investigators or the International Association of Arson Investigators as a fire and explosion investigator.

Q. What is the age requirement to qualify for a private investigators license?

A. 21-years of age.

Q. What is required to apply for a private investigator's license?

A. The following items:

1. Private Investigator Individual Application
2. \$100.00 Application Fee
3. Three completed finger print cards
4. \$29.25 finger print fee
5. Proof of professional liability insurance pursuant to KRS 329A.035 (2)
6. Letter of Affiliation from a private investigating company (if applicable)
7. An Administrative Office of the Courts (AOC) background check, and \$10.00 payment  
**(The AOC request must be submitted directly to the AOC office on a form provided by the Board Administrator)**
8. Two passport type photographs
9. Official state background check(s) for the past five years of residency for all non-resident applicants

Q. What is required to apply for a private investigating company license?

A. The Following Items:

1. Private Investigating Company application form.
2. \$100.00 application fee.
3. Three finger print cards for the qualifying agent, owner, partner and corporate officer(s)
4. \$29.25 finger print fee per person
5. Proof of professional liability insurance pursuant to KRS 329A.035 (2)
6. Letter listing the affiliated private investigators
7. An Administrative Office of the Courts (AOC) background check, and \$10.00 payment for qualifying agent, owner, partner and corporate officer(s)  
**(The AOC request must be submitted directly to the AOC office on a form provided by the Board Administrator.)**
8. Official state background check(s) for the past five years of residency for all non-residents applicants

Q. Do I need to apply for a company license if I am a sole proprietor?

A. No, Sole proprietors are only required to apply for a Private Investigator individual license: however, if you wish to apply for the Private Investigating Company license in addition to an individual license, the Board will grant the license. (Please review the Attorney General's Opinion available online at:  
<http://finance.ky.gov/NR/rdonlyres/C84FF601-C767-41CF-1-AF0CFA794322/0/Opinion.pdf>

Q. Is there a Private Investigator exam?

A. Yes. After the Board approves your application, you will be assigned a password to use in order to schedule your exam. The Board will send you a letter with specific instructions on how to schedule your exam.

Q. Can I have the study guide before I am approved for the exam?

A. Yes, however, you cannot schedule the Private Investigator exam before the Board approves you.  
The PI study Guide is available online at:  
<http://finance.ky.gov/NR/rdonlyres/EA0CF618-CDD9-4BE6-BEFB-E8DC54CC0D31/0/PIStudyGuide.pdf>

Q. What happens after I take the exam?

A. Once the Board receives the official exam result of your exam from the exam provider, a final letter will be mailed to notify you for the next step for licensure.

Q. What is the Continuing Education Requirements?

A. Twelve total hours, which must be completed at anytime during each two-year licensing period.

Q. How do I know if my Continuing Education is approved?

A. Continuing Education is automatically approved if it is provided, sponsored or approved by any of the associations or entities listed on the 201 KAR 41:070 (1). At the request of the licensee, other Continuing Education must be approved by the Board on a case-by-case basis.

Q. When do I show the Board my Continuing Education?

A. On your renewal cycle, if your renewal form has an audit stamp, you will be required to provide proof of your Continuing Education. If you are not audited, just write on your renewal form your completed Continuing Education information.

Q. What kind of Continuing Education proof do I provide with my audited renewal?

A. A certificate of completion and the course or seminar agendas.

Q. How often do I renew my license?

A. The renewal is biennial.

Q. What is the insurance requirement?

A. Professional liability insurance with a minimum amount of \$250,000.00 as specified by KRS 329A.035 (2).

Q. When do I have to show proof of insurance?

A. Proof must be shown after you take the exam, before the Board issues your license.

Q. Where can I find liability insurance?

A. Trade publications usually have advertisements about insurance specifically for private investigators. You may try Internet searches or check the yellow page type directories.

Q. If a license has expired, what is the procedure to get it reinstated?

A. Detailed information is provided in administrative regulations. Read 201 KAR 41:060, Renewal and reinstatement procedures.